

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GECAPAC INVESTMENTS II, INC.,

Plaintiff,

v.

DYNAMIC DOUGHNUTS OF TONAWANDA,
INC.,

Defendant.

DECISION & ORDER
08-CV-201S

The complaint in this action was filed March 7, 2008 (Item 1). When no answer or other responding documents were filed, plaintiff's counsel filed a Request for Entry of Default on April 8, 2008 (Item 5). The Clerk's Entry of Default was entered on April 9, 2008 (Item 7). Thereafter, plaintiff's counsel filed a Motion for Default Judgment on June 13, 2008, with a supporting affidavit (Item 8). The court filed an order on June 30, 2008, directing defendant to appear before the court on July 8, 2008 (Item 9). No response has been received from the defendant nor did the defendant appear as directed on July 8, 2008.

Plaintiff has established that it is entitled to default judgment and has set forth a detailed statement of its damages. Accordingly, the Clerk of Court is directed to enter judgment for plaintiff in the amount of \$21,099,875.20, which includes interest due and owing.

SO ORDERED.

Dated: August 22, 2008
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge